

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DAVID R. RUIZ,
(TDCJ-CID #392276)

Plaintiff,

vs.

JERRY JACKSON, *et al.*,

Defendants.

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CIVIL ACTION H-02-4522

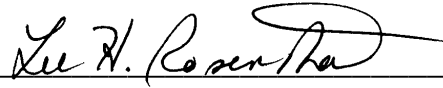
ORDER

David R. Ruiz, a Texas Department of Criminal Justice (“TDCJ”) inmate proceeding *pro se* and *in forma pauperis*, sued nineteen prison officials¹ in December 2002, alleging denial of medical care, denial of due process, denial of access to the courts, improper placement in administrative segregation, verbal abuse, conspiracy, and retaliation. On November 29, 2005, counsel for defendants filed a Suggestion of Death in this court. (Docket Entry No. 47). Because no party filed a motion for substitution by February 29, 2005, ninety days after the filing of the Suggestion of Death, this lawsuit must be dismissed pursuant to FED. R. CIV. P. 25(a)(1).

¹The defendants are Jerry Jackson, Assistant Warden of the Goree Unit; Major Price; Captain Kenneth Jones; Lieutenant Fuson; Warden Pamela Baggett; Jeania Pegoda, mailroom supervisor; Sergeant Linda Baker; Dr. Glenda Adams; G. McMasters, Health Administrator at the Goree Unit; C. Longnecker; Gary Johnson, Executive Director of the TDCJ-CID; Janie Cockrell, former Director of TDCJ; Ed Owens, Director of Operations; Owen Murray, supervisor of the Eastern Region of the University of Texas Medical Branch; Castell, former grievance official; Catherine Carter, correctional officer; E. Brookshier, correctional officer; Lieutenant Jason Scott; and Major J. M. Thomas.

This case is dismissed, with prejudice. This court will enter final judgment in favor of defendants by separate order.

SIGNED on March 9, 2006, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is written over a horizontal line. The signature is cursive and stylized, with a large loop at the end of the last name.

Lee H. Rosenthal
United States District Judge